

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Thierry Prigent

METHOD OF IMAGE STORAGE

Serial No. 10/598,451

Filed 31 August 2006

Group Art Unit:

Examiner:

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Robin G. DePoint*

Robin G. DePoint

*August 8, 2007*

Date

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

**PETITION BY PARTY HAVING PROPRIETARY INTEREST TO  
FILE APPLICATION ON BEHALF OF INVENTOR WHO  
REFUSES TO SIGN (37 CFR § 1.47(b))**

I. The party having a proprietary interest in the above-identified application, signs below and petitions to make this application on behalf of the non-signing inventor, Thierry Prigent, who refuses to join in the application.

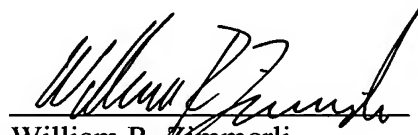
II. This petition is accompanied by (i) a showing of sufficient proprietary interest as set forth in the accompanying Statement Establishing Proprietary Interest By Person Signing on Behalf of Non-signing Inventor, and (ii) proof of the pertinent facts and the last known address of the non-signing inventor as set forth in the accompanying Statement of Facts in Support of Filing on Behalf of Non-signing Inventor.

III. Authorization is hereby made to charge the required fee to Eastman Kodak Company Deposit Order Account No. 05-0225. A duplicate copy

of this paper is enclosed. It is also requested to charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

IV. The person making the Statement Establishing Proprietary Interest is a person authorized to sign on behalf of the owner on the basis of an agreement. A copy of the agreement and an English language translation of the agreement are attached to the Statement Establishing Proprietary Interest By Person Signing on Behalf of Non-Signing Inventor.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "William R. Zimmerli", written over a horizontal line.

William R. Zimmerli  
Attorney for Applicant(s)  
Registration No. 45,287

Rochester, NY 14650  
Telephone: 585-588-2758  
Facsimile: 585-477-4646

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Thierry Prigent

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*Robin G. DePoint*

Robin G. DePoint

*August 8, 2007*

Date

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

**STATEMENT ESTABLISHING PROPRIETARY INTEREST BY  
PERSON SIGNING ON BEHALF OF NON-SIGNING INVENTOR**

I. I, Joyce P. Haag, residing at Pittsford, New York 14534 USA, am the person signing the declaration for the above-identified application on behalf of the nonsigning inventor and make this statement as to the facts establishing my proprietary interest.

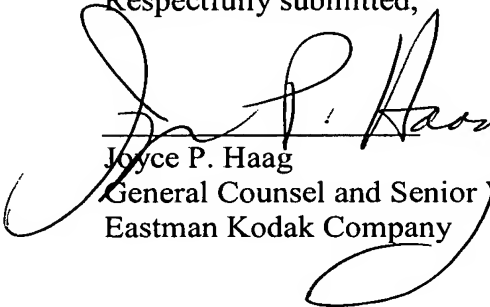
II. As of the date I signed the declaration for the application, the proprietary interest in this invention belonged to Eastman Kodak Company, 343 State Street, Rochester, New York 14650 USA, and I am authorized to sign the statement on behalf of Eastman Kodak Company, my title being General Counsel and Senior Vice President, Eastman Kodak Company.

III. I establish the proprietary interest by attaching a copy of the agreement whereby the nonsigning inventor agreed that the invention is the property of Kodak. An English language translation of the agreement is also attached.

IV. A Statement under 37CFR 3.73(b) (PTO/SB/96) is attached.

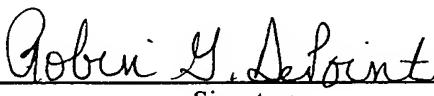
V. I am signing the declaration for the above-identified application in order to avoid abandonment of the application for failure to respond to a Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office, mailed June 11, 2007, which required a signed declaration. A copy of the Notification, and the corresponding response are attached.

Respectfully submitted,



Joyce P. Haag  
General Counsel and Senior Vice President  
Eastman Kodak Company

WRZ/rgd

<b>Customer No. 01333</b>		<b>Docket 86929WRZ</b>	
Form PTO 1595 1-31-92 <b>MODIFIED 2-15-93</b>	<b>RECORDATION FORM COVER SHEET</b> <b>PATENTS ONLY</b>		U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office
Tab settings ® ® ® ▼ ▼ ▼ ▼ ▼ ▼ ▼			
1. Name of conveying party(ies): Assignor #1: Thierry Prigent			
2. Name and address of receiving party(ies): Name: Eastman Kodak Company      City: Rochester      State: NY      Zip: 14650-2201			
3. Nature of Conveyance: <input type="checkbox"/> Assignment <input checked="" type="checkbox"/> Employee Invention Statement (English and French versions)			
Assignment Execution Date: Assignor#1: September 3, 2003			
4. Application number(s) or patent number(s): 10/598,451 If this document is being filed together with a new application, the execution date of the application is the same as the execution date of the Assignment, <i>unless</i> stated as follows: August 31, 2006			
5. Name and address of party to whom correspondence concerning document should be mailed: Name: David A. Novais      Address: Eastman Kodak Company, Patent Legal Staff City: Rochester      State: NY      Zip: 14650-2201			
6. The total number of applications and patents involved is one (1) unless stated as follows:			
7. Total fee (37 CFR 1.21h):    \$ <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account			
8. Eastman Kodak Company Deposit account number: <u>05-0225</u>			
DO NOT USE THIS SPACE			
9. Statement and signature. <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i>			
Robin G. DePoint Name of Person Signing	 Signature	<u>August 7, 2007</u> Date	
Total number of pages including cover sheet:		4	

86929

BREVETS

11 SEP. 2003

## DECLARATION D'INVENTION DE SALARIE

CONFIDENTIEL

1 - SALARIE INVENTEUR (Nom, tous les Prénoms, Adresse personnelle, Fonction exercée)

PRIGENT Thierry

Matricule: 47816

Coefficient: .....  
(Pour salarié NON CADRE)

2 - OBJET DE L'INVENTION

Sensipatch application to color film archiving and color fading  
restoration while de-archiving images

3 - APPLICATIONS ENVISAGEES

4 - CIRCONSTANCES DE REALISATION ET CLASSEMENT PROPOSE (n'entourer qu'une seule lettre)

☒ A Dans l'exécution de mon contrat de travail lequel comporte une mission inventive correspondant à mes fonctions effectives. Invention propriété de KODAK

☐ B Dans l'exécution des études et recherches qui m'ont été explicitement confiées (note de service, définition de fonction, objectifs, etc...).

☐ C Dans le cours de l'exécution de mes fonctions alors que ces fonctions ne comportent pas de mission inventive et qu'aucune étude ou recherche ne m'a été explicitement confiée.

☐ D En dehors de mes fonctions, mais grâce à la connaissance ou l'utilisation de la technique ou des moyens spécifiques à l'entreprise ou de données procurées par elle. Invention propriété du salarié ouvrant droit d'attribution à KODAK

☐ E En dehors de mes fonctions mais dans le domaine des activités de l'entreprise.

Lorsque un classement en catégorie C, D ou E est proposé par l'inventeur, il est invité à prendre contact avec le Département Brevets qui l'informera sur ses droits et ses obligations

☐ F En dehors de mes fonctions et du domaine des activités de l'entreprise et sans connaissance ni utilisation de techniques ou de moyens spécifiques à l'entreprise ou de données procurées par elle. Invention propriété du salarié

5 - DOCUMENT DANS LEQUEL A ETE EXPOSEE VOTRE INVENTION :

NOTE

INVENTION SUMMARY

AUTRE

envoyé au Département Brevets le : 6 juin 2003

Fait à : Chalon s/s

Le : 3 septembre 2003

Signature :

86929

PATENT

SEPTEMBER 11, 2003

## EMPLOYEE INVENTION DECLARATION

CONFIDENTIAL

<b>1 - EMPLOYEE INVENTOR</b> (last name, all the first names, personal address, function exercised)	
PRIGENT Thierry	
Registration No.: 47816	Coefficient: (For non management employee)
<b>2 - OBJECT OF THE INVENTION</b>	
Sensipatch application to color film archiving and color fading restoration while de-archiving images	
<b>3 - APPLICATIONS CONSIDERED</b>	
<b>4 - CIRCUMSTANCES OF EMBODIMENT, AND PROPOSED CLASSIFICATION</b> (circle only one letter)	
<input checked="" type="radio"/> A	<i>In the performance of my work contract, which comprises an inventive mission corresponding to my actual functions.</i>
<input type="radio"/> B	<i>In the performance of studies and research which were explicitly entrusted to me (department note, definition of function, objectives, etc...).</i>
<input type="radio"/> C	<i>In the course of the performance of my functions, when these functions comprise no inventive action and no study or research was entrusted to me explicitly.</i>
<input type="radio"/> D	<i>Outside of my functions, but thanks to the knowledge or the use of the technique or means that are specific to the company, or data procured by it.</i>
<input type="radio"/> E	<i>Outside of my functions, but within the field of the activities of the company.</i>
<u>When a classification in categories C, D or E is proposed by the inventor, he is asked to contact the Patents Department which will inform him of his rights and obligations.</u>	
<input type="radio"/> F	<i>Outside of my functions and of the field of activities of the company, and without the knowledge or use of techniques or means that are specific to the company, or data procured by it.</i>
<b>5 - Document in which your invention has been described:</b>	
NOTE	INVENTION SUMMARY
OTHER	
Sent to the Patent Department on: June 6, 2003	
Made at: Chalon s/s	Signature
On: September 3, 2003	[signature]

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Translated from French into English  
Code No. 55-13800



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Eastman Kodak CompanyApplication No./Patent No.: 10/598,451 Filed/Issue Date: August 31, 2006Entitled: METHOD OF IMAGE STORAGEEastman Kodak Company, a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

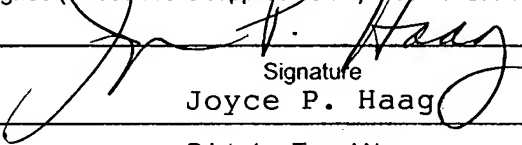
- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Thierry Prigent To: Eastman Kodak Company  
The document was recorded in the United States Patent and Trademark Office at (see attached)  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
Signature  
Joyce P. Haag  
Printed or Typed Name

August 7, 2007  
Date  
585-781-9072  
Telephone Number

General Counsel and Senior Vice President, Eastman Kodak Company  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Thierry Prigent

METHOD OF IMAGE STORAGE

Serial No. 10/598,451

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Group Art Unit:

Examiner:

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*Robin G. DePoint*  
Robin G. DePoint

*August 8, 2007*  
Date

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

**ADDED PAGE TO COMBINED DECLARATION AND POWER  
OF ATTORNEY FOR SIGNATURE BY PERSON WITH  
SUFFICIENT PROPRIETARY INTEREST WHERE NO  
INVENTOR IS AVAILABLE TO SIGN (37CFR § 1.47(b))**

I, Joyce P. Haag, hereby declare that:

I. I am a citizen of the United States of America, residing at Pittsford, New York 14534 USA.

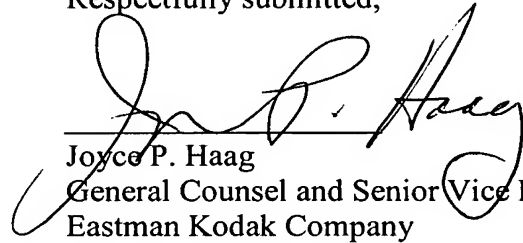
II. I am authorized to sign on behalf of Eastman Kodak Company, 343 State Street, Rochester, New York 14650 USA, an entity with sufficient proprietary interest, my title being General Counsel and Senior Vice President, Eastman Kodak Company.

III. By virtue of this proprietary interest, I sign this declaration on behalf of Thierry Prigent, a non-signing inventor who refuses to sign.

IV. Upon information and belief, I aver those facts that the inventor is required to state.

V. Accompanying this declaration is a Petition By Party Having Proprietary Interest To File Application On Behalf Of Inventor Who Refuses To Sign and a Statement Establishing Proprietary Interest By Person Signing On Behalf Of Non-Signing Inventor.

Respectfully submitted,



Joyce P. Haag  
General Counsel and Senior Vice President  
Eastman Kodak Company

WRZ/rgd

<b>Combined Declaration For Patent Application and Power of Attorney</b>				<b>ATTORNEY DOCKET 86929WRZ</b>							
<p>As below named inventor, I hereby declare that:</p> <p>My residence, post office address and citizenship are as stated below next to my name,          I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:</p> <p><b>METHOD OF IMAGE STORAGE</b></p> <p>The specification of which (check only one item below):</p> <p><input type="checkbox"/> is attached hereto.</p> <p><input checked="" type="checkbox"/> was filed as United States Application Serial No. 10/598,451 on 31 August 2006 and was amended on (if applicable).</p> <p><input type="checkbox"/> was filed as PCT international application Number PCT/EP2005/001604 on 02-17-2005 and was amended on (if applicable).</p> <p>I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.</p> <p>I acknowledge the duty to disclose to the U.S. Patent &amp; Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.</p> <p>I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-*d) or 365 (b) of any foreign application(s) for patent or inventor's certificate, or (365 (a) of any PCT international application(s) which designates at least one country other than the United States of America, listed below and have also identified below any foreign applications(s) for patent or inventor's certificate or any PCT international application(s) designating a least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:</p>											
<b>PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:</b>											
<small>COUNTRY (if PCT, indicate PCT)</small>	<small>APPLICATION NUMBER</small>	<small>DATE OF FILING (month/day/year)</small>	<input checked="" type="checkbox"/>	<small>PRIORITY CLAIMED UNDER 35 USC §119</small>	<small>YES</small>						
France	0402155	03 March 2004	<input checked="" type="checkbox"/>	<small>YES</small>	<small>NO</small>						
PCT	EP2005/001604	17 February 2005	<input checked="" type="checkbox"/>	<small>YES</small>	<small>NO</small>						
				<small>YES</small>	<small>NO</small>						
<p>I hereby claim the benefit under Title 35, United States Code, 119 §(e) of any United States provisional application(s) listed below:</p> <p><b>PRIOR PROVISIONAL APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §119 (e):</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px; text-align: center;"><small>PROVISIONAL APPLICATION NUMBER</small></td> <td style="padding: 5px; text-align: center;"><small>FILING DATE (month/day/year)</small></td> </tr> <tr> <td style="padding: 5px; height: 20px;"></td> <td style="padding: 5px; height: 20px;"></td> </tr> <tr> <td style="padding: 5px; height: 20px;"></td> <td style="padding: 5px; height: 20px;"></td> </tr> </table> <p>I hereby claim the benefit under Title 35, United States Code, §120 of any prior United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, §112, I acknowledge the duty to disclose to the U.S. Patent &amp; Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:</p>						<small>PROVISIONAL APPLICATION NUMBER</small>	<small>FILING DATE (month/day/year)</small>				
<small>PROVISIONAL APPLICATION NUMBER</small>	<small>FILING DATE (month/day/year)</small>										
<b>PRIOR US APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S FOR BENEFIT UNDER 35USC§120:</b>											
<small>U.S. APPLICATIONS</small>			<small>STATUS (Check one)</small>								
<small>U.S. APPLICATION NUMBER</small>	<small>U.S. FILING DATE</small>	<small>PATENTED</small>	<small>PENDING</small>	<small>ABANDONED</small>							
<small>PCT APPLICATIONS DESIGNATING THE U.S.</small>			<small>STATUS (Check one)</small>								
<small>PCT APPLICATION NO.</small>	<small>PCT FILING DATE</small>	<small>U.S. SERIAL NUMBERS ASSIGNED (if any)</small>	<small>PATENTED</small>	<small>PENDING</small>	<small>ABANDONED</small>						
PCT/EP2005/001604	17 February 2005			<input checked="" type="checkbox"/>							

Combined Declaration For Patent Application and Power of Attorney (Continued)				ATTORNEY DOCKET 86929WRZ
<b>POWER OF ATTORNEY:</b> As a named inventor, I hereby appoint the attorney(s) and/or agent(s) associated with Eastman Kodak Company <u>Customer No. 01333</u> to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.				
Send Correspondence to:  <div style="text-align: center;">           Patent Legal Staff            Eastman Kodak Company            343 State Street            Rochester, NY 14650-2201         </div>				Direct Telephone Calls to: <i>(name and telephone number)</i>  William R. Zimmerli 585-588-2758 FAX: 585-477-4646
2	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
1	BUSINESS ADDRESS	BUSINESS ADDRESS	CITY	STATE & ZIP CODE (COUNTRY)
2	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
2	BUSINESS ADDRESS	BUSINESS ADDRESS	CITY	STATE & ZIP CODE (COUNTRY)
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0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
3	BUSINESS ADDRESS	BUSINESS ADDRESS	CITY	STATE & ZIP CODE (COUNTRY)
2	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
4	BUSINESS ADDRESS	BUSINESS ADDRESS	CITY	STATE & ZIP CODE (COUNTRY)
2	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
5	BUSINESS ADDRESS	BUSINESS ADDRESS	CITY	STATE & ZIP CODE (COUNTRY)
2	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
6	BUSINESS ADDRESS	BUSINESS ADDRESS	CITY	STATE & ZIP CODE (COUNTRY)
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
SIGNATURE OF INVENTOR 201		SIGNATURE OF INVENTOR 202		SIGNATURE OF INVENTOR 203
Non-signing inventor-completed on added page				
DATE		DATE		DATE
August 7, 2007				
SIGNATURE OF INVENTOR 204		SIGNATURE OF INVENTOR 205		SIGNATURE OF INVENTOR 206
DATE		DATE		DATE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Thierry Prigent

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Examiner:

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*Robin G. DePoint*  
Robin G. DePoint

*August 8, 2007*  
Date

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

**STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF  
OF NON-SIGNING INVENTOR (37CFR § 1.47)**

This statement is made as to the facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the non-signing inventor for the above-identified patent application both before and after deposit thereof in the US Patent and Trademark Office.

This statement is being made by the available person having first hand knowledge of the facts recited therein.

I, Etienne Weber, hereby declare that:

I. Thierry Prigent is the inventor of the invention described in the above-identified application.

II. The above-identified application claims priority to a patent application filed in France on March 3, 2004 assigned Application No. 0402155 and a PCT application filed February 17, 2005 assigned Application No.

PCT/EP2005/001604 . Thierry Prigent is the inventor of these priority applications.

III. Thierry Prigent is no longer employed by Kodak.

IV. On or about July 7, 2006, I mailed a Combined Declaration for Patent Application and Power of Attorney (hereinafter "Declaration") to Thierry Prigent at his last known address.

V. On or about August 21, 2006, I attempted to contact Thierry Prigent by telephone using his last known telephone number to discuss the status of the Declaration to determine whether the Declaration had been received by Thierry Prigent, had been signed by Thierry Prigent, and, if not, whether Thierry Prigent intended to sign the Declaration. However, there was no answer when I placed the telephone call to Thierry Prigent.

VI. The above-identified application was filed in the US Patent and Trademark Office on August 31, 2006. I did not receive a signed Declaration from Thierry Prigent prior to the above-identified application being filed in the US Patent and Trademark Office.

VII. On October 9, 2006, I mailed another Declaration updated to include application serial number and filing date information to Thierry Prigent at his last known address. I mailed this declaration "Recommande avec Accuse de Reception." It is my understanding that "Recommande avec Accuse de Reception" in France is equivalent to "certified mail" in the United States.

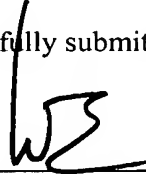
VIII. On October 20, 2006, I received confirmation that the Declaration was delivered to Thierry Prigent at his last known address. The confirmation is dated October 19, 2006, and is signed by Thierry Prigent. A copy of the confirmation is attached.

IX. As of the date I signed this statement, I had not received a signed Declaration from Thierry Prigent.

X. Based on his conduct described above, I conclude that Thierry Prigent refuses to sign the Declaration.

XI. The last known address for Thierry Prigent is Hameau de Vallerat, 71390 Saint-Helene, France.

Respectfully submitted,



Etienne Weber

WRZ/rgd

July 27, 2007



LA POSTE

AVIS DE RÉCEPTION  
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RECOMMANDÉ

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